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SERVICE DATE – DECEMBER 27, 2016

SURFACE TRANSPORTATION BOARD

DECISION

Docket No. EP 711 (Sub-No. 1)

RECIPROCAL SWITCHING

Decided: December 23, 2016

On July 27, 2016, the Surface Transportation Board (Board) issued a Notice of Proposed Rulemaking (NPRM) proposing rules that would allow a party to seek a reciprocal switching prescription that is either practicable and in the public interest or necessary to provide competitive rail service, in accordance with 49 U.S.C. § 11102(c)(1). The NPRM established a procedural schedule for opening comments, reply comments, requests for ex parte meetings, and ex parte meetings and summaries.

On September 1, 2016, the Board extended the procedural schedule in response to a request by the Association of American Railroads. Under the current procedural schedule, the comment deadline was October 26, 2016, the reply deadline is January 13, 2017, requests for ex parte meetings are due by January 13, 2017, and ex parte meetings will occur between January 30 and February 17, 2017.

Given that the Board is in a time of transition, with potential changes to the Board's membership due to the changeover in the administration, the Board finds it appropriate to make adjustments to the procedural schedule outlined above. Accordingly, the Board will extend the deadlines both for the ex parte meeting requests and the meetings, thus allowing interested stakeholders more time to prepare for and participate in such meetings. Although meetings may commence beginning January 30, 2017 (in accordance with the September 1 decision), new deadlines concerning the closure of the ex parte meeting period will be established in a future Board order. The deadline for reply comments will remain unchanged.

It is ordered:

1. The deadlines for ex parte meeting requests and the occurrence of those meetings are extended.
2. This decision is effective on its date of service.

By the Board, Rachel D. Campbell, Director, Office of Proceedings.